

Rates for Interstate Inmate Calling Services

WC Docket No. 12-375; FCC 12-167

The FCC, as they formulate rules regarding the rates of ICS's, should require ICS providers to include a monthly free minutes to each inmate.

The FCC and the GAO both agree that “regular telephone contact between inmates and their families is an important public policy matter,” due to its effect on recidivism. We also accept that an incarcerated family member places a large burden on the family unit, especially children, which is exponentially increased when contact is limited. According to the Fragile Families and Child Wellbeing study, currently “less than one third of fathers in prison see at least one of their children on a regular basis.” They note easier forms of communication, like phone calls and mail, are often stigmatized and too expensive for families.¹ With ~55% of the prison population being a parent to a minor this regulation is of dire importance.² The main goal of any rules created by the FCC should focus on the most effective policies to increase communication between inmates and their families.

Since the financial burden of ICS communication usually lie upon the families, to create well informed regulation the FCC must consider the effects any rule will have on the family. Fathers, who make up the majority of the prison population, on average (68%) were the primary wage earners for their families before they were incarcerated.² Coupling this fact with findings published by the Bureau of Justice Statistics that over 75% of prisoners were earning less than \$24,000 a year creates a financially destitute population affected.³ Currently the cost of interstate calling is placing an exorbitant burden on this population. First hand reports compiled by Donald Braman exemplify the uncontrolled costs the current system imposes. The costs to an average family can easily hit \$200 a month, reaching an access of 20% of a family's income. Placed on top are charges associated with collect calling that can be ignored. One account describes a mother being forced to buy 3-way calling services from her carrier in order to connect her son to other family members unable to afford the collect call charges, and law services that do not

¹ Wildeman, Christopher, and Bruce Western. 2010. “Incarceration in Fragile Families.” *Future of Children* 20:157-177.

² McBride, Elizabeth, Amy Solomon and Jeremy Travis. 2005. “Families Left Behind: The Hidden Costs of Incarceration and Reentry.” Urban Institute. http://www.urban.org/UploadedPDF/310882_families_left_behind.pdf.

³ James DJ. Publication No. NCJ 201932. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics; 2004. Profile of jail inmates, 2002.

accept collect calls.⁴ Albeit some of these charges are small, they build up over time, and if we compare it to the economic status of our regulatory population that have a larger impact.

To successfully achieve the stated purpose of this rulemaking, the FCC needs to provide prisoners free interstate calling time no less than 15 minutes a month. Currently interstate calling can place a large burden on even the more affluent of prison families, and can push many prisoners out of the market altogether. Every prisoner should be able to communicate to out of state family or legal services regardless of their economic status. It is not only a question of rights, but helps the FCC pursue their public policy goals. The only way to ensure this is to provide some amount of time, even if it is only 15 minutes per month, to every prisoner. The FCC should pursue this action even if it requires them to increase per-call and per-minute charges. Although increasing rates may limit some prisoner's call time, they will still benefit from the free minutes, tempering any negative effect. Creating rate ceilings may lower costs for some prisons, it will do nothing for those prisons that are running ICS' under the ceiling, leaving huge swathes of the prison population without benefits. To allow all of the incarcerated a reasonable opportunity to keep in contact with loved ones, and lower recidivism, free minutes needs to be required.

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⁴ Braman, Donald. (2002). "Families and Incarceration." (Doctoral dissertation). Yale University, New Haven, CT.